

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

JAMES MICHAEL MURPHY, M.D.,

No. 3:19-cv-01733-AC

Plaintiffs,

ORDER

v.

THOMAS J. WILHELM, M.D.; and HOOD  
RIVER COUNTY DISTRICT ATTORNEY  
OFFICE,

Defendants.

HERNÁNDEZ, District Judge:

Magistrate Judge Acosta issued a Findings and Recommendation on December 14, 2020, in which he recommends that this Court grant Defendant's motion for summary judgment and deny Plaintiff's motion to amend pleading. F&R, ECF No. 66. The matter is now before the Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Plaintiff filed timely objections to the Magistrate Judge's Findings & Recommendation. Pl. Obj., ECF No. 69. When any party objects to any portion of the Magistrate Judge's Findings & Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1); *Dawson v. Marshall*, 561 F.3d 930, 932 (9th Cir. 2009); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc).

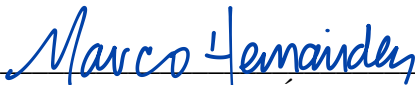
The Court has carefully considered Plaintiff's objections and concludes that there is no basis to modify the Findings & Recommendation. The Court has also reviewed the pertinent portions of the record *de novo* and finds no error in the Magistrate Judge's Findings & Recommendation.

### CONCLUSION

The Court adopts Magistrate Judge Acosta's Findings and Recommendation ECF No. 66. Therefore, Defendant's Motion for Summary Judgment is GRANTED and Plaintiff's Motion to Amend Pleading is DENIED.

IT IS SO ORDERED.

DATED: April 7, 2021.

  
MARCO A. HERNÁNDEZ  
United States District Judge